

Notice of Allowability

Application No.

10/647,407

Examiner

Rudy Zervigon

Applicant(s)

HILBURGER ET AL.

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of August 8, 2005.
2. ☒ The allowed claim(s) is/are 30-58.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/28/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I, claims 1-27, and 29 in the reply filed on August 8, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Affidavit/Declaration

2. Applicant's June 28, 2004 is acknowledged and made of record.

Allowable Subject Matter

3. Claims 30-58 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter: The closest prior art is to Oda; Masao et al. (US 5,252,132 A) and Kanasa, Sunao (JP 61207946 A). Oda teaches a device (Figure 10; column 8, lines 1-28) for supplying at least one fluid medium to a process chamber (35; Figure 10; column 8, lines 1-28), said device (Figure 10; column 8, lines 1-28) having at least one delivery line (37; Figure 10), said at least one delivery line each having a supply opening (37/35 interface; Figure 10) and sealing elements (not labelled; portion of 37 at entry of 35; Figure 10) associated with the supply opening (37/35 interface; Figure 10) – claim 30, for example. Oda does not teach tensioning mechanisms for holding each of the at least one delivery line (37; Figure 10) against a respective receptacle (not labelled - piece below top of 35; Figure 10) provided in the process chamber (35; Figure 10; column 8, lines 1-28) , said receptacle (not labelled - piece below top of 35; Figure 10) being associated with the supply opening (37/35 interface; Figure 10) – claim 30. The other

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independent claim 58 is more restrictive than independent claim 30. Kanesa teaches a similar apparatus (Figure 2) but, as with Oda, fails to teach or suggest a “tensioning mechanisms for holding each of the at least one delivery line (15; Figure 2) against a respective receptacle (none shown) provided in the process chamber (2; Figure 2)”.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 20040216666 A1

US 20030121608 A1

US 6910441 B2

US 6652655 B1

US 6490994 B1

US 6416718 B1

US 6372048 B1

US 6244309 B1

US 6143252 A

US 5976470 A

US 5749403 A

US 5376224 A

US 5292400 A

US 5252132 A

US 5238532 A

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US 5102523 A

US 5009738 A

US 4980204 A

US 4508054 A

US 4349055 A

US 3870089 A

US 3215508 A

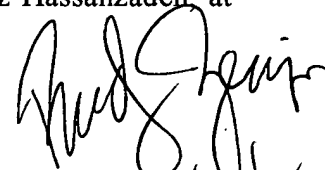
JP 03155647 A

JP 61207946 A

JP 56018083 A

US 20020006377 A

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Rudy Zervigon whose telephone number is (571) 272.1442. The examiner can normally be reached on a Monday through Thursday schedule from 8am through 7pm. The official fax phone number for the 1763 art unit is (703) 872-9306. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Chemical and Materials Engineering art unit receptionist at (571) 272-1700. If the examiner can not be reached please contact the examiner's supervisor, Parviz Hassanzadeh, at (571) 272-1435.


10/17/5